



Law, Regulation and Policy for Wheelchair/Mobility Device Use

in Federally Designated Wilderness

(1) IN GENERAL – Congress reaffirms that nothing in the Wilderness Act prohibits wheelchair use in a wilderness area by an individual whose disability requires its use. The Wilderness Act requires no agency to provide any form of special treatment or accommodation or to construct any facilities or modify any conditions of lands within a wilderness area to facilitate such use.

(2) Definition – for the purposes of paragraph (1), the term wheelchair means a device designed solely for use by a mobility impaired person for locomotion, that is suitable for use in an indoor pedestrian area.”

American with Disabilities Act, Title V Section 508 (c)

The following CFR and FSM apply in ALL areas of the National Forest System

36 Code of Federal Regulation (CFR) 212.1

“Motor Vehicle. Any vehicle which is self-propelled, other than:

(1) a vehicle operated on rails; and

(2) any wheelchair or mobility device, including one that is battery-powered, that is designed solely for use by a mobility-impaired person for locomotion, and that is suitable for use in an indoor pedestrian area.”

Forest Service Manual 2353.05

“Wheelchair or Mobility Device. A device, including one that is battery-powered, that is designed solely for use by a mobility-impaired person for locomotion, and that is suitable for use in an indoor pedestrian area. A person whose disability requires use of a wheelchair or mobility device may use a wheelchair or mobility device that meets this definition anywhere foot travel is allowed.”

Application: “Designed solely for use by a mobility-impaired person” means that the original design and manufacture of the device was only for the purpose of mobility by a person who has a limitation on their ability to walk. A wheelchair or mobility device, even one that is a battery powered, that meets this definition is allowed anywhere foot travel is allowed.

“Suitable for indoor pedestrian use” means the device would be allowed to be used inside a mall, etc.